

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

WILTON WADE CORLEY, III

PLAINTIFF

v.

No. 4:16CV14-SA-SAA

**SHERIFF RICKY BANKS
KEN SPENCER
TYRONE BANKS
CHIP GRAVLEE
NURSE HOLMES
SGT. GAYDEN
SGT. ALPHONSO WILLIAMS
LEFLORE COUNTY ADULT DETENTION CENTER
PAROLE OFFICER NANETTER TROTTER
DOROTHY DOZIER
MISSISSIPPI DEPARTMENT OF CORRECTIONS**

DEFENDANTS

JUDGMENT

Having considered the file and records in this action, the court finds that the Report and Recommendation of the United States Magistrate Judge was duly served by mail upon the *pro se* plaintiff at his last known address; that more than fourteen days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been filed or served by any party. The magistrate judge's Report and Recommendation should therefore be approved and adopted as the opinion of the court. It is ordered:

1. That the Report and Recommendation of the United States Magistrate Judge is hereby **APPROVED AND ADOPTED** as the opinion of the court.
2. That the plaintiff's claims regarding exposure to environmental tobacco smoke are **VOLUNTARILY DISMISSED**;
3. The plaintiff's claims regarding denial of access to the courts are **DISMISSED** with prejudice for failure to state a claim upon which relief could be granted;
4. Under Sheriff Ken Spencer is **DISMISSED** with prejudice from this case because

the plaintiff's allegations against him fail to state a claim upon which relief could be granted;

5. The Leflore County Adult Detention Center is **DISMISSED** with prejudice, as it is not a proper defendant;

6. The plaintiff's claims against Sheriff Ricky Banks, Tyrone Banks, Nurse Holmes, Sergeant Gayden, Sergeant Alphonso Williams, Parole Officer Nanette Trotter, Dorothy Dozier, and the Mississippi Department of Corrections for denial of adequate medical will **PROCEED**;

7. The plaintiff's claim against Chief of Security Chip Gravlee for mail tampering will also **PROCEED**;

8. The Leflore County Adult Detention Center is **DISMISSED** with prejudice from this case for failure to state a claim upon which relief could be granted

SO ORDERED, this, the 8th day of August, 2016.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE